

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF RHODE ISLAND, et al.,

Plaintiffs,

v.

C.A. No.:

DONALD J. TRUMP, et al.,

Defendants.

DECLARATION OF DARCY BURGESS

Pursuant to 28 U.S.C. § 1746, I, Darcy Burgess, hereby declare as follows:

1. I am over the age of eighteen (18) and am National Representative for the National Association of Government Employees, who, among other groups, services a Federal Mediation and Conciliation Services (FMCS) bargaining unit certified in Washington, D.C. (NAGE Local R3-118). As a National Representative for the group, I have specific familiarity and knowledge related to everyday functions of the bargaining unit members as well as the overall mission of FMCS. The following facts are within my personal knowledge and if called as a witness, I could and would testify thereto.
2. As defined on their website (www.fmcs.gov), the Federal Mediation and Conciliation Service (FMCS) is a small, independent federal agency that plays a crucial role in sustaining the American economy by preventing, minimizing, and resolving work stoppages and labor disputes. These efforts help avoid costly disruptions in production, services, and supply chains, ensuring economic stability and growth. FMCS accomplishes this mission by offering mediation, training, and facilitation services to employers and unions nationwide, fostering collaborative labor-management relationships. Additionally, FMCS enhances government efficiency by providing training, mediation, facilitation, dispute systems design, and other alternative dispute resolution services to federal agencies, allowing them to operate more effectively and serve the public better.
3. On March 14, 2025, President Trump issued an Executive Order entitled “Continuing the Reduction of the Federal Bureaucracy”, which sought to immediately eliminate

- “any non-statutory component and functions...and reduce the performance of their statutory functions and associated personnel to the minimum presence and function required by law:” FMCS was the first of these services to be targeted in the Executive Order.
4. Before President Trump’s gutting of FMCS, they only had about two hundred and seven (207) employees servicing the entire country.
 5. NAGE Local R3-118, specifically represented thirty-four (34) bargaining unit members, located throughout the country, who provided administrative support in various capacities.
 6. As directed by the Executive Order, FMCS began the immediate removal of some employees, and delayed removal of others, resulting in the total loss of seventy-two (72) percent of the overall employees of FMCS; ten (10) of those employees who were let go immediately were former members of NAGE Local R3-118. *See, Notice of RIF and attached Bargaining Unit Spreadsheet.*
 7. To the best of my knowledge, only fifteen (15) of FMCS employees, overall, will remain by the time the RIF is fully effectuated. Of those remaining employees, zero (0) will be bargaining unit members.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct.

EXECUTED this 3rd day of April, 2025, in Fredericksburg, Virginia.


Darcy Burgess



FEDERAL MEDIATION AND CONCILIATION SERVICE

HEADQUARTERS OFFICE

250 E Street, SW

Washington, D.C. 20427

MEMORANDUM

March 28, 2025

Subject: Notification of Reduction in Force (RIF)

To: Darcey Burgess
National Representative, NAGE

From: Adrienne Adger
Director, Office of Human Resources

In accordance with Article 35, "Reduction-in-Force" of the collective bargaining agreement between the Federal Mediation and Conciliation Service (FMCS) and the National Association of Government Employees (NAGE), Local R3-118, we hereby notify you of the following:

This letter serves as formal notification that the Federal Mediation and Conciliation Service (FMCS) will be implementing a Reduction in Force (RIF) of employees across FMCS that will impact all members of your union.

The relevant information for the implementation of the RIF is as follows:

Estimated Effective Date: as early as May 1, 2025

Type of Employees Affected: The RIF is aimed at all competitive areas and positions of the organization, to include mediation and administrative positions. The RIF will also target roles in programmatic areas that have been determined to be redundant or duplicative with other functions across the federal government.

Competitive Areas Affected: A list of competitive areas has been finalized and approved by OPM as of March 20, 2025. FMCS competitive areas are based upon components of the organization and are based nationwide within each component:

Office of the Director
National Representative
Office of Equal Employment Opportunity
Office of Labor Policy & Communications
Office of the Chief Operating Officer
Office of Human Resources
Office of Budget
Office of Finance
Office of Procurement and Operational Support
Office of Security and Continuity of Operations
Office of General Counsel
Office of Field Operations
Office of Field Operations National/International
Center for Conflict Resolution and Education

Office of National Projects
Office of Conflict Management and Prevention
Office of Field Operations Regional
Office of Client Services
Office of Field Administration
Office of Field Operations, Region 1
Office of Field Operations, Region 2
Office of Field Operations, Region 3
Office of Field Operations, Region 4
Office of Field Operations, Region 5
Office of Field Operations, Region 6

Approximate number of bargaining unit employees affected: All remaining BUEs (non-Deferred Resignation/Retirement) will be impacted. A roster is attached to this notice.

This action is being taken in accordance with President Donald Trump's Executive Order (s) 14210, dated February 11, 2025, and Executive Order 14238 of March 14, 2025.

Specific notices to employees may be sent as early as Monday, March 31, 2025, and will comply with notice requirements under regulation and the CBA.

Given that reduction-in-force is "covered-by" our collective bargaining agreement, FMCS has satisfied obligations to bargain over this matter.

If you have any questions please contact Adrienne Adger, at aadger@fmcs.gov or 202-606-5466.

Thank you!



Federal Mediation & Conciliation Service
Office of Human Resources
202-606-5466

CUI//SP-PERS

NAGE Local R3-118 - Bargaining Unit Employees as of March 2025

Last Name	First Name	Official Title	Grade	Organization/Duty Location	Email Address	Bargaining Unit Code
ARELLANO	BRIAN	Program Specialist (E-Resources)	GS-0340-11	Field Operations (National/International), Office of Education, Arvada, CO	barellano@fmcs.gov	1085
BOYD II	JOSEPH	IT Specialist (Systems & Customer Support)	GS-2210-13	Office of Information Technology (HQ), Centreville, VA	jboyd@fmcs.gov	1085
COLANDRIA	MICHAEL	Support Services Specialist	GS-0342-11	Office of Procurement and Operational Support (HQ), Washington, DC	mcolandria@fmcs.gov	1085
DAVIS	CAROL	Management Analyst	GS-0343-09	Office of Field Operations (National/International), Sherwood, AR	cdavis@fmcs.gov	1085
DRAKE	MARGARET	Budget Analyst	GS-0560-13	Office of Budget (HQ), Beverly Hills, FL	mdrake@fmcs.gov	1085
FARRINGTON	TORRANCE	Program Specialist	GS-0301-11	Field Operations (National/International), Office of Education, Bowie, MD	tfarrington@fmcs.gov	1085
FARRIS	DONALD	DATA ANALYTICS SPECIALIST	GS-0301-13	Office of Labor Policy & Communication, Tyler, TX	dfarris@fmcs.gov	1085
FRANCE-HAFF	CHERYL	ADMINISTRATIVE SPECIALIST	GS-0301-09	Office of Field Operations (Regional), Office of Field Administration, Woodbridge, NJ	cfrancehaff@fmcs.gov	1085
GALLAS	MEGAN	Program Specialist (IAA)	GS-0301-11	Field Operations, Office of Client Services, Zanesville, OH	mgallas@fmcs.gov	1085

HALL	YVETTE (LAFRE)	Property Management Specialist	GS-1101-12	Office of Procurement and Operational Support (HQ), Hyattsville, MD	lhall@fmcs.gov	1085
HOROWITZ	CHRISTINE	E-Learning Training Specialist	GS-1712-13	Field Operations (National/International), Office of Education, Newnan GA	chorowitz@fmcs.gov	1085
JOHNSON	KEITH	Arbitration/Notice Processing Technician (OA)	GS-0303-07	Field Operations, Office of Client Services, Cheltenham, MD	kjohnson@fmcs.gov	1085
JONES	ROMONA	Management Specialist	GS-0301-12	Office of Procurement and Operational Support (HQ), Oxon Hill, MD	rjohnson@fmcs.gov	1085
KERRICK	TIFFANY	Senior Accounting Technician	GS-0525-09	Office of Budget (HQ), Suitland, MD	tkerrick@fmcs.gov	1085
KRIZAY	TERESA	ADMINISTRATIVE SPECIALIST	GS-0301-09	Office of Field Operations (Regional), Office of Field Administration, Alliance, OH	tkrizay@fmcs.gov	1085
LAU LOPEZ	VICTOR	Accounting Technician	GS-0525-08	Office of Finance (HQ), Beltsville, MD	vllopez@fmcs.gov	1085
LAWSON	MARCUS	Customer Services Specialist	GS-0301-11	Office of Procurement and Operational Support (HQ), Washington, DC	mlawson@fmcs.gov	1085
LUTZKANIN	CAROL	Management Analyst	GS-0343-09	Office of Field Operations (Regional), Office of Field Administration, Carlisle, PA	clutzkanin@fmcs.gov	1085
NICHTER	SUZANNE	Arbitration/Notice Processing Technician (OA)	GS-0303-07	Field Operations, Office of Client Services, Washington, DC	snichter@fmcs.gov	1085
PACE	BERNADETTE	ADMINISTRATIVE SPECIALIST	GS-0301-09	Office of Field Operations (Regional), Office of Field Administration, Cleveland, OH	bpace@fmcs.gov	1085
PLYE	CYNTHIA	Training Specialist	GS-1712-13	Field Operations (National/International), Office of Education, Silver Spring, MD	cpyle@fmcs.gov	1085

RADOGNO	ELDA	ADMINISTRATIVE SPECIALIST	GS-0301-09	Office of Field Operations (Regional), Office of Field Administration, Berwyn, IL	eradogno@fmcs.gov	1085
ROBINSON	MALACHI	CLIENT RELATIONS SPECIALIST	GS-0301-11	Field Operations, Office of Client Services, Jersey City, NJ	mrobinson@fmcs.gov	1085
SHANK	PAULA	IT Specialist (System Administrator-SharePoint)	GS-2210-14	Office of Information Technology (HQ), Fredericksburg, VA	pshank@fmcs.gov	1085
SHANNON	STEPHEN	Program Assistant	GS-0301-11	Field Operations, Office of Client Services, Centreville, VA	sshannon@fmcs.gov	1085
SQUIRES	JAMES	Telecommunications Specialist	GS-0391-14	Office of Information Technology (HQ), Fredericksburg, VA	jsquires@fmcs.gov	1085
STUART	LAKISHA	Accounting Technician	GS-0525-08	Office of Budget (HQ), Bryans Road, MD	lstuart@fmcs.gov	1085
SUTHERLAND	ERICA	Management Analyst	GS-0343-09	Office of Field Operations (Regional), Office of Field Administration, Benton, AR	esutherland@fmcs.gov	1085
TROST	ALAN	IT Specialist (Systems Analysis)	GS-2210-13	Office of Information Technology (HQ), Gaithersburg, MD	atrost@fmcs.gov	1085
TUCKER	STEPHANIE	ADMINISTRATIVE SPECIALIST	GS-0301-09	Office of Field Operations (Regional), Office of Field Administration, Glendale, CA	stucker@fmcs.gov	1085
WARREN	KIMBERLY AYERS	Digital Media Strategist	GS-1001-14	Office of Labor Policy & Communication, Roswell, GA	kwarren@fmcs.gov	1085
WASHINGTON	BARBARA	Accounting Technician	GS-0525-08	Office of Budget (HQ), Washington DC	bWASHINGTON@fmcs.gov	1085

WRIGHT	SHAKIMA	Senior Program Assistant	GS-344-11	Field Operations, Office of Client Services, Fort Washington, MD	swright@fmcs.gov	1085
YOUNG	PATRICIA	Program Assistant	GS-0303-09	Field Operations, Office of Client Services, Capitol Heights, MD	pyoung@fmcs.gov	1085

* = currently electing dues withholding through payroll deduction